

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

AMG SERVICES, INC., *et al.*,

Defendants.

Case No.: 2:12-cv-00536-GMN-VCF

ORDER

Pending before the Court are the Fourth and Fifth Interim Applications for an Order Approving Fees and Expenses, (ECF Nos. 1211, 1236), filed by court-appointed Monitor Thomas W. McNamara (“McNamara”).

This instant Applications arise from McNamara’s exercise of authority as court-appointed monitor over the judgment debtor’s assets. In this case, the Court granted the Federal Trade Commission (“FTC”) summary judgment against Defendant Scott Tucker (“Tucker”) and his businesses for a payday lending scheme in violation of the Federal Trade Commission Act, 15 U.S.C. § 45(a)(1). The Court enjoined Tucker from assisting “any consumer in receiving or applying for any loan or other extension of Consumer Credit,” and ordered that Tucker pay approximately \$1.27 billion in equitable monetary relief to the FTC. (*See* Order 27:17–30:14, ECF No. 1057).

In a subsequent order (the “Appointment Order”), the Court appointed McNamara as monitor, granting him authority to preserve or recover assets on behalf of the Monitorship Estate. (*See* Appointment Order, ECF No. 1099). The Appointment Order provides that McNamara may engage attorneys and other professionals and that McNamara and his retained personnel are “entitled to reasonable compensation for the performance of duties pursuant to

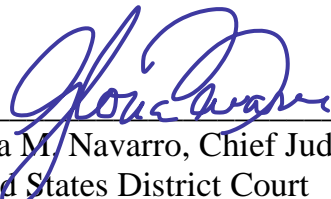
1 this Order, and for the cost of actual out-of-pocket expenses incurred by them, from the Assets
2 now held by or in the possession or control of, or which may be received by, the Defendants or
3 Monitorship Entities,” based on periodic requests to the court. (*Id.* §§ VIII(L)–(M), XV).

4 The Court has reviewed the McNamara’s Declarations and supporting documents with
5 respect to the Applications, and approves the payment of the following requested amounts for
6 fees and expenses with respect to the Fourth Interim Application: \$56,200.50 fees and \$283.59
7 expenses of the Monitor and staff to be paid to Thomas W. McNamara dba Regulatory
8 Resolutions; \$126,242.00 fees and \$8,544.42 expenses of the Monitor’s counsel, McNamara
9 Smith LLP; \$6,173.53 fees and \$352.40 expenses of local counsel in Nevada, Ballard Spahr
10 LLP and \$11,985.30 fees of Lynch Law Practice, PLLC; and \$9,195.00 fees and \$382.14
11 expenses of counsel in Overland Park, Kansas, Geiger Prell, LLC.

12 The Court is likewise satisfied that McNamara’s Fifth Interim Application for Fees and
13 Expenses shall be approved as follows: \$106,123.00 fees and \$2,558.98 expenses of the
14 Monitor and staff to be paid to Thomas W. McNamara dba Regulatory Resolutions;
15 \$272,202.00 fees and \$7,187.77 expenses of the Monitor’s counsel, McNamara Smith LLP;
16 \$27,484.30 fees and \$1,481.18 expenses of the Monitor’s local counsel in Nevada, Ballard
17 Spahr LLP; \$3,549.60 fees and \$112.20 expenses of Lynch Law Practice, PLLC; \$20,070.00
18 fees and \$675.95 expenses of the Monitor’s counsel in Overland Park, Kansas, Geiger Prell,
19 LLC; and \$15,563.70 fees and \$506.80 expenses of the Monitor’s counsel, Allen Matkins Leck
20 Gamble Mallory & Natsis LLP.

21 **IT IS HEREBY ORDERED** that McNamara’s Fourth and Fifth Interim Applications
22 for an Order Approving Fees and Expenses, (ECF Nos. 1211, 1236), are **GRANTED**.

23 **DATED** this 1 day of April, 2019.

24
25 

Gloria M. Navarro, Chief Judge
United States District Court